

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present Amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-8 are pending in this application. Claims 1 and 5, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Changes to the claims are not statements with respect to patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112 beyond the remarks herein. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. SUPPORT IN THE SPECIFICATION

Support for this amendment is provided at paragraphs [0042]-[0043] of the Specification as originally filed, which are reproduced below:

[0042] The services offered by the mail server 3 include introduction of unique tags. If the content of a unique tag is predetermined between the digital camera 6 and the mail server 3, the mail server 3 is able to perform processing unique to the user's request on still image data, attaches the edited image data to e-mail, and then sends it to a receiving terminal. As one type of tag, a tag indicating authorization to perform processing unique to the user's request, for example, a tag represented by [User

Custom], is provided. By inputting such a tag, the processing unique to the user's request can be performed in the mail server 3.

[0043] The content of the tag can be predetermined between the mail server 3 and the digital camera 6 by, for example, providing web settings in the mail server 3, or simply exchanging a document therebetween. In the introduction services of the unique tags, limitations, such as the capacity and the number of tags, may be set by the mail server 3. If the capacity or the number of tags exceeds such limitations, the user may be charged for such an excess, thereby implementing a so-called "business method.

III. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-8 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over European Patent Application 0 865 192 A2 to Yamakita (hereinafter, merely "Yamakita") in view of U.S. Patent No. 6,092,114 to Shaffer, et al. (hereinafter, merely "Shaffer") and further in view of U.S. Publication No. 2006/0143307 to Codignotto (hereinafter, merely "Codignotto") and further in view of U.S. Patent No. 6,571,236 to Anderson, et al. (hereinafter, merely "Anderson").

Claim 1 recites, *inter alia*:

"...wherein a user specific custom tag and a unique processing command are predetermined between the transmitting electronic device and the relay server,

wherein adding the user specific custom tag allows editing of the attached obtained original data which is unique to a user's request, and

wherein content of the user specific tag is predetermined between the transmitting electronic device and the relay server by exchanging information in advance of adding the user specific custom tag." (Emphasis Added)

Claim 1 generally relates to a system that allows a user to take a picture and send the picture with a text command to a relay server instructing the relay server to process the picture as instructed by the command. **The user may allow processing in a unique way by registering a custom tag with the server and predetermining the association of that custom tag with an editing command in advance of the use of the user custom tag.** To do so, the user may provide web settings or exchange documents with the server.

Applicants submit that Yamakita, Shaffer, Codignotto and Mullaly, taken alone or in combination, fail to suggest or render predictable the handling of unique processing commands.

The Office Action concedes that Yamakita, Shaffer, and Codignotta fail to teach the above-identified features of claim 1 and relies on Anderson for this proposition. Applicants submit that Anderson teaches a business process that uses an executable file, which is downloaded into an image capture device, to create tags for the digital images captured by the device. The tags contain identifying information, which is then used by a web server to match an image with corresponding data.

In contrast, claim 1 relates to a user attaching a user specific custom tag to obtained original data, for example, a photo. The tag allows editing of the obtained original data. The specifics of the editing have been predetermined between the user and the relay server.

Therefore, Applicants submit such disclosure in Anderson does not render claim 1 unpatentable. Furthermore, Yamakita, Shaffer, Codignotto, and Anderson, taken alone or in combination, fail to suggest or render predictable that a user specific custom tag and a unique processing command are predetermined between the transmitting electronic device and the relay

server, and adding the user specific custom tag allows editing of the attached obtained original data which is unique to a user's request, and wherein content of the user specific tag is predetermined between the transmitting electronic device and the relay server by exchanging information in advance of adding the user specific custom tag, as recited in claim 1.

Therefore, independent claim 1 is patentable.

For reasons similar to those described above, independent claim 5 is also believed to be patentable.

IV. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.


In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 

Thomas F. Presson
Reg. No. 41,442
(212) 588-0800